

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TERRELL CAUDLE, on behalf of himself and
all others similarly situated,

Plaintiff,

-against-

TOWERS, PERRIN, FORSTER & CROSBY,
INC.,

Defendant.
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P. KEVIN CASTEL, District Judge:

I have a joint application from the parties, dated April 21, 2009, to extend the date for final pretrial submissions and the Final Pretrial Conference to some unspecified date in the future "after" the yet to be scheduled "mediation is concluded." (Mashberg Letter of April 21, 2009.) Private mediation is an important and effective tool to resolve disputes and I wholeheartedly endorse its use in this case. But let's look at the record. This Court granted in part and denied in part a case dispositive motion last August. Neither the docket sheet nor the letter from counsel reflects any action by the parties to bring this case to conclusion between the date of that decision and the date of my order setting this case for a Final Pretrial Conference. I hold myself partially to blame because I trusted the parties to act diligently and responsibly in bringing pretrial proceedings to conclusion. I will not accede to an open ended stay of proceedings until either the case is settled or the parties or mediator have fully explored all possibility of settlement and concluded that it will not occur.

I applaud the present interest in exploring settlement through mediation and I will give the parties some breathing room to allow that to happen. In the interim, no


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07 Civ. 2480 (PKC)

ORDER

proceedings are stayed. Between now and June 1, the parties shall complete all discovery in this case. I will extend the date for final pretrial submissions to June 19, 2009. The Final Pretrial Conference is adjourned from May 13 to June 25, 2009 at 2 p.m.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
April 22, 2009